

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

DANIEL ACRE,

Petitioner,
vs.

Civil Action 2:12-cv-939
Judge Sargus
Magistrate Judge King

WARDEN, HOCKING CORRECTIONAL
FACILITY,

Respondent.

ORDER

Petitioner, a state prisoner, brings this action for writ of habeas corpus pursuant to 28 U.S.C. §2254.

Petitioner challenges his conviction by the Lucas County Court of Common Pleas. Lucas County is within Ohio's northern federal judicial district. 28 U.S.C. §115(a)(1). Because petitioner challenges the conviction of a state court within the Northern District of Ohio, but is in custody in the Southern District of Ohio, both districts have concurrent jurisdiction over the action. 28 U.S.C. §2241(d).

This Court has the discretion to transfer this action to the Northern District for hearing and determination. *Id.* A transfer to the Northern District is appropriate in this case, because it is the more convenient forum and evidence is more readily accessible in the district where petitioner was convicted. See *Bell v. Watkins*, 692 F.2d 999, 1013 (5th Cir. 1982); see also *Braden v. 30th Judicial Circuit Court of Ky.*, 410 U.S. 484, 497 n.13 (1973).

Accordingly, this action is hereby **TRANSFERRED** to the United States District Court for the Northern District of Ohio.

October 15, 2012
(Date)

s/Norah McCann King
Norah McCann King
United States Magistrate Judge